

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

- against -

MARTIN ADRIAN RUIZ, RAM FUND, LP, and
CARTER BAIN WEALTH MANAGEMENT, LLC,

Defendants, and

ROTHSCHILD MAGNUS FUND, LP, ISG CAPITAL
LLC, and MISTER FARMS, LLC,

Relief Defendants.

21-cv-6622 (LJL)
ECF CASE

**ORDER EXTENDING
TEMPORARY RESTRAINING
ORDER**

This matter is before the Court on the Show Cause Hearing held today, August 20, 2021 at 12:00 p.m., as ordered in the Court's Temporary Restraining Order Freezing Assets and Providing for Other Ancillary Relief, and Order Setting Preliminary Injunction Hearing ("TRO") (TRO at 13-14, Aug. 9, ECF No. 37.)

Kenneth Stalzer and Stephen McKenna appeared for Plaintiff U.S. Securities and Exchange Commission ("SEC") at the Show Cause Hearing. Erwin Shustak and Robert Boeche, Shustak, Reynolds & Partners P.C., appeared for Defendants Martin Adrian Ruiz ("Ruiz") and Carter Bain Wealth Management, LLC ("Carter Bain"). Defendant RAM Fund, LP ("RAM"), and Relief Defendants, Rothschild Magnus Fund, LP, ISG Capital, LLC, and Mister Farms, LLC, were not represented by counsel and did not appear at the hearing. Following the hearing, at which neither the Court, nor the SEC objected to counsel for Defendants Ruiz and Carter Bain

participating prior to entering an appearance in this matter, counsel entered appearances on behalf of Defendants Ruiz, Carter Bain, and RAM, as well as for Relief Defendant Mister Farms.

At the hearing, SEC Counsel and Counsel for Defendants (and now relief Defendant Mister Farms), stated that the parties had agreed to extend the relief granted in the TRO and to continue the Show Cause hearing until September 13, 2021.

Rule 65(b)(2) states “[t]he [temporary restraining] order expires at the time after entry—not to exceed 14 days—that the court sets, unless before that time the court, for good cause, extends it for a like period or the adverse party consents to a longer extension.” Fed. R. Civ. P. 65(b)(2). Here, the parties agree that to avoid unnecessary costs, effort, and time and to not waste judicial resources, the TRO should be extended. And, as to Relief Defendants Rothschild Magnus Fund and ISG Capital, the Court finds good cause to extend the TRO as to them because of their non-appearance.

THEREFORE, by agreement of the parties and good cause being shown, it is ORDERED that the TRO and relief stated therein is continued until 4:00 p.m. September 13, 2021, at which time Defendants are ORDERED to show cause, if there be any, why this Court should not enter a preliminary injunction extending the asset freeze and other ancillary relief entered in this Order until final adjudication of this case on the merits. An initial pretrial conference is also set for 4:00 p.m. on September 13, 2021. The hearing and conference will proceed telephonically. Parties are directed to dial (888) 251-2909 and use access code 2123101.

Dated: August 20, 2021

A handwritten signature in black ink, appearing to read 'L. Liman', is written over a horizontal line.

Lewis J. Liman
United States District Judge